

IN RE: PETITION FOR ZONING VARIANCE
NR/S Windy Hills Road, 850' +/-
SE of the C/L of Manor Road
(12 Windy Hills Road)
11th Election District
6th Councilmanic District
Gilbert W. Glaser, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 20 feet in lieu of the required 50 feet for a proposed garage addition in accordance with Petitioner's Exhibit 1.

The Petitioners, by Marion E. Glaser, appeared and testified. There were no Protestants.

Testimony indicated that the subject property, known as 12 Windy Hills Road, consists of 1.8 acres zoned R.C. 5, and is improved with a single family dwelling and attached two car garage. Petitioners are desirous of constructing a two story addition to the existing garage to provide additional garage space. Testimony indicated that Petitioners have three children living at home, each over the age of 16 and having their own car. Further testimony indicated that Petitioners feel the additional space may be used to accommodate their elderly parents if the need arises in the future. While the property is large, its width is narrow and due to the location of existing improvements thereon, the requested variance is necessary in order to construct the proposed addition. Testimony indicated that Petitioners have spoken with the adjoining property owners who have no objections to their plans. Petitioner introduced photographs depicting the landscaping on the property line which provides a thick buffer between their property and their neighbor's property. Petitioners contend the

granting of the variance will not result in any detriment to the health, safety or general welfare of the community and its denial would result in practical difficulty.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 14th day of December, 1989 that the Petition for Zoning Variance to permit a side yard setback of 20 feet in lieu of the required 50 feet for a proposed garage addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

- 2) The variance granted herein is limited to Petitioners use of the property for residential purposes for their family only. Petitioners shall not allow or cause, the garage addition to be converted to a second dwelling unit and/or apartments.

- 3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

PETITION FOR ZONING VARIANCE
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 11A(4), B.C.Z.R. To permit a 20 ft. side yard setback in lieu of the minimum 50 ft.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
- 1) Boundaries and shape of the property do not permit another convenient, suitable and desirable location to construct additional garage/storage/living space on the property that would satisfy our requirements.
 - 2) Elderly parents will be moving in and will need a section of the garage for their vehicle. This would allow them to enter the house without being exposed to bad weather conditions. Also, we plan to build two bedrooms, bath and sitting or living room area over the garage for the parents, as it is getting difficult for them to maintain their own home. We presently have 3 bedrooms and 1 bath with three children still living at home with no near-term plans of moving out.
 - 3) We are growing our present garage several years ago when each of our three children got their own car. Additional garage space is needed for car, and storage of lawn tractor, lawn and garden supplies, and miscellaneous supplies.
- Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: N/A
(Type or Print Name)
Signature: Gilbert W. Glaser
Address: 12 Windy Hill Road
City and State: Long Green, Maryland 21092

Legal Owner(s):
(Type or Print Name)
Signature: Gilbert W. Glaser
Marion E. Glaser
Address: 12 Windy Hill Road
City and State: Long Green, Maryland 21092
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Gilbert and Marion Glaser
Name: 321-5128 - Work
Address: 12 Windy Hill Road
City and State: Long Green, Maryland 21092
Phone No.: 592-9362 - Home

Attorney for Petitioner: N/A
(Type or Print Name)
Signature: N/A
Address: N/A
City and State: N/A
Attorney's Telephone No.: N/A

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of December, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28th day of December, 1989, at 7:30 o'clock A.M.

J. Robert Hines, Jr.
Zoning Commissioner of Baltimore County

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
90-198-A
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 11A(4), B.C.Z.R. To permit a 20 ft. side yard setback in lieu of the minimum 50 ft.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
- 1) Boundaries and shape of the property do not permit another convenient, suitable and desirable location to construct additional garage/storage/living space on the property that would satisfy our requirements.
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 - 3) We are growing our present garage several years ago when each of our three children got their own car. Additional garage space is needed for car, and storage of lawn tractor, lawn and garden supplies, and miscellaneous supplies.
- Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

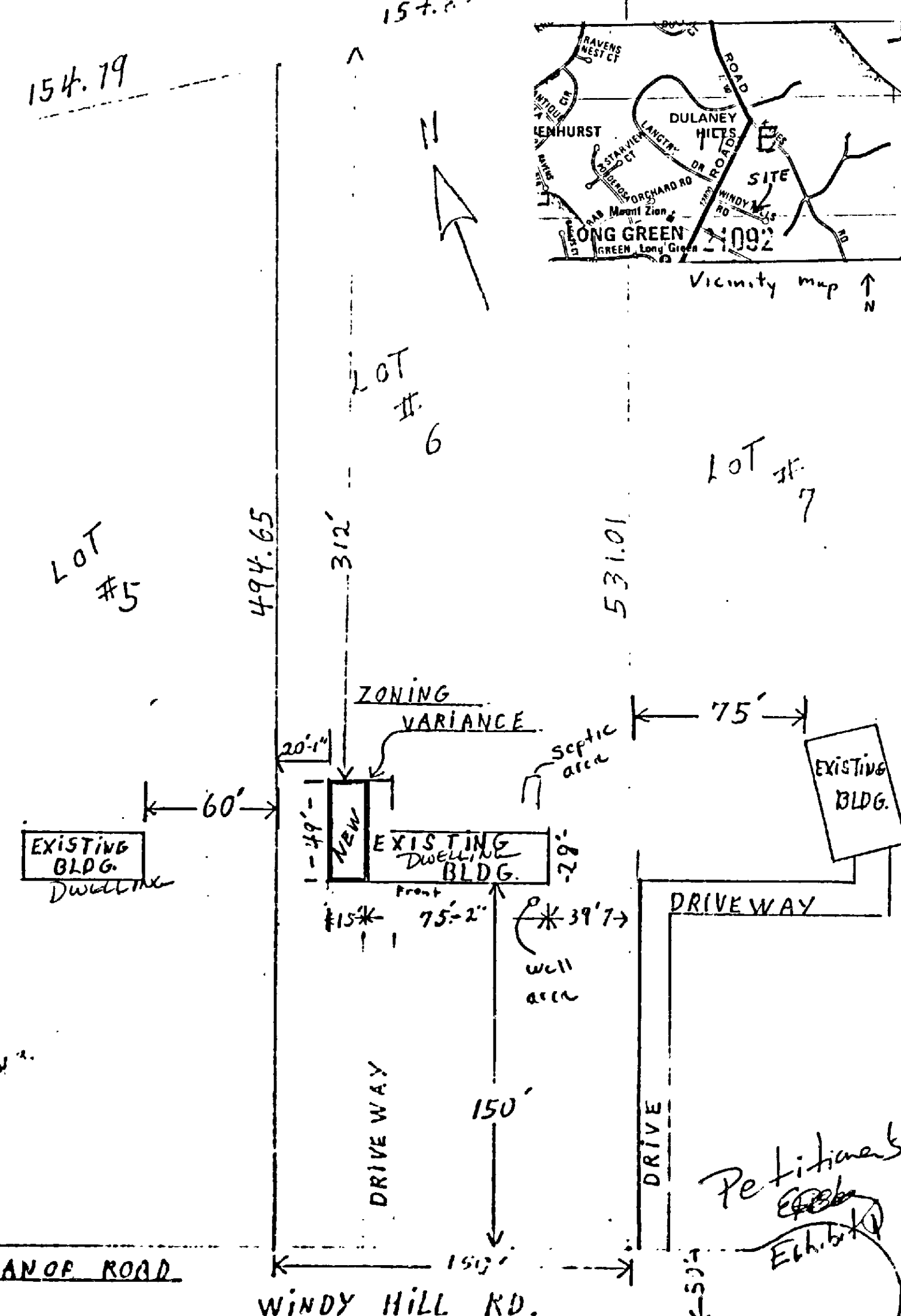
Contract Purchaser: N/A
(Type or Print Name)
Signature: Gilbert W. Glaser
Address: 12 Windy Hill Road
City and State: Long Green, Maryland 21092

Legal Owner(s):
(Type or Print Name)
Signature: Gilbert W. Glaser
Marion E. Glaser
Address: 12 Windy Hill Road
City and State: Long Green, Maryland 21092
Name, address and phone number of legal owner, contract purchaser or representative to be contacted:
Gilbert and Marion Glaser
Name: 321-5128 - Work
Address: 12 Windy Hill Road
City and State: Long Green, Maryland 21092
Phone No.: 592-9362 - Home

Attorney for Petitioner: N/A
(Type or Print Name)
Signature: N/A
Address: N/A
City and State: N/A
Attorney's Telephone No.: N/A

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of December, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 28th day of December, 1989, at 7:30 o'clock A.M.

J. Robert Hines, Jr.
Zoning Commissioner of Baltimore County



PLAT FOR ZONING VARIANCE
OWNER - Gilbert & Marion Glaser
DISTRICT - 11, ZONED - RC 5
LOT SIZE: 81,675 sq. ft.
1.8 acres
SCALE: 1" = 50'

Gilbert W. Glaser
Marion E. Glaser
12 Windy Hill Road
Long Green, MD 21092

Liber 4756
Pages 252, 253

PROPERTY DESCRIPTION

BEGINNING for the same at a point on the Northeast side of Windy Hills Road, fifty feet wide, distant South 62 degrees 58 minutes East 300 feet and South 61 degrees 48 minutes East 375 feet and South 60 degrees 32 minutes East 75 feet, from the intersection formed by the Northeast side of Windy Hills Road and the Southeast side of Manor Road, thirty-three feet wide, said intersection of said roads being South 30 degrees 15 minutes West 334 feet from the intersection made by the Southeast side of Manor Road and the third line of the parcel of land which by deed dated September 3, 1937, and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr., No. 1012, folio 231, was conveyed by Annie M. Ryer to Marie R. Hinder, this point of intersection being 17.2 feet from the beginning of said third line; running thence binding on the Northeast side of Windy Hills Road South 60 degrees 32 minutes East 150 feet; thence parallel to the Manor Road North 30 degrees 15 minutes East 531.01 feet to the third line of the parcel of land above referred to from Annie M. Ryer to Marie R. Hinder; running thence binding on said line as now surveyed North 74 degrees 07 minutes West 154.83 feet; thence parallel to Manor Road South 30 degrees 15 minutes West 494.83 feet to the point of beginning.

BEING the same lot of ground described in a Deed from Marie R. Hinder and D. Edward Hinder, her husband, to the Grantors herein, dated November 13, 1952 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2207 folio 288, etc.

Tracking System
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 068253
DATE 8/14/89
ACCOUNT 01-615
AMOUNT \$35.00
RECEIVED FROM C. Robert W. Glaser
12 Windy Hill Road
FOR: Residential Variance (Item # 62)
8 8100*****3500*1616

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 11/13/89



Dennis F. Rasmussen
County Executive

Mr. & Mrs. Gilbert W. Glaser
12 Windy Hill Road
Long Green, Maryland 21092

Re: Petition for Zoning Variance
CASE NUMBER 90-198-A
NE/S Windy Hills Road, 850' SE c/l of Manor Road
12 Windy Hill Road
11th Election District - 6th Councilmanic
Petitioner(s): Gilbert W. Glaser, et ux
HEARING: TUESDAY, NOVEMBER 28, 1989 at 9:30 a.m.

Dear Mr. & Mrs. Glaser:

Please be advised that 11/10/89

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R 0014150

Number

receipt
NE 476

90-198

Date

DATE OF DEPOSIT: 11/13/89
DATE OF DEPOSIT: 11/13/89
TOTAL: \$111.00

8 8 C15*****111-514 476

Please make check payable to: Baltimore County

Cashier Validation

(phone 887-3391 to confirm
hearing date.)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 11/24 Variance Date of Posting: 11/12/89

Posted for: Gilbert W. Glaser, et ux

Petitioner: NE/S Windy Hills Rd, 850' SE of Manor Rd

Location of property: 12 Windy Hill Rd

Location of signs: NE/S Windy Hills Rd, 850' SE of Manor Rd

Remarks: 11/12/89

Posted by: [Signature]

Number of Signs: 1

CERTIFICATE OF PUBLICATION

November 2, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 1, 1989.

NORTHEAST TIMES BOOSTER and the
NORTHEAST TIMES REPORTER

S. Zebe Orman

Publisher

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

October 17, 1989

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petit: "or Zoning Variance
CASE NUMBER 90-198-A
NE/S Windy Hills Road, 850' SE c/l of Manor Road
12 Windy Hill Road
11th Election District - 6th Councilmanic
Petitioner(s): Gilbert W. Glaser, et ux
HEARING: TUESDAY, NOVEMBER 28, 1989 at 9:30 a.m.

Variances To permit a 20 foot side yard setback in lieu of the minimum 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines

ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH/gjs
cc: Mr. & Mrs. Glaser

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 2, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 2, 1989.

THE JEFFERSONIAN,

S. Zebe Orman

Publisher

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

Date of Posting: 11/10/89

District 11/24 Variance

Posted for: Joseph Christopher Anderson, et ux

Petitioner: 12601 Blue Bell Rd, 125' x 115' N/S of Manor Rd & Waverly

Location of property: 12601 Blue Bell Rd

Location of signs: At E. end of Blue Bell Rd, across E. end of Manor Rd, and

Remarks: Address with above address to 12601

Posted by: [Signature]

Number of Signs: 1

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: November 2, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 90-198A
Gilbert W. Glaser, Item 62

The Petitioner requests a Variance to permit a 20 ft. side yard setback in lieu of the minimum 50 feet.

In reference to this request, Staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:gg1
ZPVAR100

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

RECEIVED
AUG 31 1989

ZONING OFFICE



Dennis F. Rasmussen
County Executive

August 25, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 50, 56, 57, 59, 60, 61, 62, 63, 64, and 569.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Traffic Engineer Associate II

MSF/lvw

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4800

Paul H. Reincke
Chief

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Gilbert W. Glaser, et ux

Location: NE/S of Windy Hills Road, 850' SE centerline of

Item No.: 62

Zoning Agenda: August 22, 1989

Dennis F. Rasmussen
County Executive

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: [Signature]
Special Inspection Division

NOTED & APPROVED: [Signature]
Fire Prevention Bureau

/s/

Petitioner's
Exhibits
2A (3)
90-198-A

